

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

DAVID W. MORRIS, SR.,

Plaintiff,

V.

VERONICA STEWART,

Defendant.

CV 322-089

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2023 OCT 18 P 2: 54

CLERK
SO. DIST. OF GA.

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed.¹ Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DENIES** Plaintiff's motion for summary judgment, (doc. no. 40), and **DENIES** Defendant's motion for summary judgment, (doc. no. 45). The case shall proceed to trial on Plaintiff's Eighth Amendment excessive force claim against Defendant.

SO ORDERED this 10th day of October, 2023, at Augusta, Georgia.

UNITED STATES DISTRICT JUDGE

¹ Plaintiff filed a response to the Report and Recommendation confirming he has no objections. (See doc. no. 54.)